

THE MONTHLY MEETING OF BERKELEY COUNTY COUNCIL is scheduled to be held on **MONDAY NOVEMBER 23, 2009**, following Public Hearings and the meetings of certain Committees at 6:00 p.m., in the **ASSEMBLY ROOM, BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCK'S CORNER, S. C.**

CALL TO ORDER

APPROVAL OF MINUTES:

Special Meeting of Council	October 12, 2009
Public Hearings: Bills Numbered: 09-30, 09-38 and 09-40	October 26, 2009
Public Hearing: GoodWill Industries of Lower SC	October 26, 2009
Public Hearing: JT Ryerson	October 26, 2009
Regular Council Meeting	October 26, 2009

PUBLIC DISCUSSION - Requests to be heard must be made prior to call to Order and comments must be limited to Agenda items only.

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. (A TOTAL OF 30 MINUTES WILL BE ALLOTTED FOR THIS PUBLIC DISCUSSION PERIOD.)

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

CHAIRMAN OF COUNTY COUNCIL

THIRD READING:

1. Bill No. 09-26, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Tommy Boals**, 1134 Clements Ferry Road, Wando, **TMS #263-00-01-013** (31.86 acres) **from F-1, Agricultural District to PD-MU, Planned Development Mixed Use District.** Council District No. 8.
[Recommended by Committee on Land Use]

2. Bill No. 09-40, an ordinance to amend **Ordinance No. 97-4-18** to allow for changes in the **preference** that is given to Berkeley County and South Carolina **businesses** in the **awarding of county contracts.**
[Recommended by Committee on Public Works and Purchasing]

3. **Bill No. 09-41**, an **ordinance** to amend and clarify certain sections of Ordinance Number 01-8-35, adopted August 27, 2001, Zoning and Development Standards Ordinance, “**Berkeley County Zoning Ordinance**” and amending Ordinances Numbered 02-08-33, 02-12-58, 04-11-68, 05-03-08, 05-08-58, 06-09-63, 06-12-92, and 07-07-43, in regard to the proposed creation of an Arterial Roads Overlay District.

[Recommended by Committee on Land Use]

4. **Bill No. 09-43**, an **ordinance** amending Ordinance Number 09-07-35 providing for the fiscal year beginning July 1, 2009, and ending June 30, 2010, for the **Tall Pines Special Tax District** revenues and expenditures.

[Recommended by Committee on Finance]

5. **Bill No. 09-44**, an **ordinance** authorizing the execution and delivery of a Fee Agreement between Berkeley County, South Carolina and **Joseph T. Ryerson & Son, Inc.**; and matters relating thereto.

[Recommended by Committee on Finance]

6. **Bill No. 09-50**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **County Council on behalf of the heirs of Mitchell Hardy**, Sibling Lane, Huger, **TMS #257-00-00-01**, (approximately 11 acres) **from R1-R, Rural Single Family Residential District to F-1, Agricultural District**. Council District No. 8.

[Recommended by Committee on Land Use]

SECOND READING:

1. **Bill No. 09-45**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **John & Miriam Mitchum**, located 2,000 +/- L.F. from the intersection of N. Highway 52 and 17A on North Highway 17A, Moncks Corner, **TMS #123-00-02-030** (3.0 Acres), **from GC, General Commercial District to F-1, Agricultural District**. Council District No. 8.

[Recommended by Committee on Land Use]

2. **Bill No. 09-46**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Caroline Gethers** for Heirs of Caroline Gethers, 307 N. Live Oak Drive, Moncks Corner, **TMS #142-04-02-048** (1.65 acres) **from GC, General Commercial District to F-1, Agricultural District**. Council District No. 8.

[Recommended by Committee on Land Use]

3. **Bill No. 09-47**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Norman Sanders** for First Citizens Bank & Trust Co, Inc., 909 Black Oak Road, Bonneau, Portion of **TMS #068-04-03-021** (0.1864 acre) **from R-2, Manufactured Residential District to GC, General Commercial District**. Council District No. 6.

[Recommended by Committee on Land Use]

4. **Bill No. 09-48**, an **ordinance** to amend the agreement for **Development of a Joint County Industrial Park** executed on April 24, 1995, by and among **Berkeley County, South Carolina and Williamsburg County, South Carolina**, providing for the Development of a jointly owned and operated Industrial/Business park so as to include additional property in both Berkeley County and Williamsburg County as part of the Joint County Industrial Park and other matters related thereto.

[Recommended by Committee on Finance]

5. **Bill No. 09-49**, an **ordinance** authorizing the acceptance of the transfer of authority for conducting municipal **elections in the City of Goose Creek** to the Berkeley County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Berkeley County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Goose Creek to provide for reimbursement of all costs and expenses incurred by the Berkeley County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto.

[Recommended by Committee on Community Services]

FIRST READING:

1. **Bill No. 09-51**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Artamus Nichols** for Nicholas Equipment, 2192 Highway 52, Moncks Corner **TMS #181-00-02-055, - 056** (3.33 acres), **from GC, General Commercial District to LI, Light Industrial District**. Council District No. 8.

[Recommended by Committee on Land Use]

2. **Bill No. 09-52**, an **ordinance** authorizing the execution and delivery of a **fee agreement** between Berkeley County, South Carolina and **American Synthetics Corporation, LP**, and matters relating thereto.

[Recommended by Committee on Finance]

RESOLUTIONS:

1. **RESOLUTION** providing for the **Transfer of Funds** in the **2009-2010 Berkeley County Budget** for County purposes other than as specified in said Budget.

[Recommended by Committee on Finance]

2. **RESOLUTION** providing that under certain conditions, Berkeley County will enter into an agreement pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina with **American Synthetics, LP**.

[Recommended by Committee on Finance]

3. **RESOLUTION** authorizing the **Lake Marion Regional Water Agency** to file a pre-application with the United States Department of Agriculture's Rural Development Loan Program; and other matters relating thereto.

[Recommended by Committee on Water and Sanitation]

REPORTS FROM STANDING COMMITTEES:

- 1. Committee on Finance.**
Council Member, Mr. Jack H. Schurlknight, Chairman.
- 2. Committee on Land Use.**
Council Member, Mr. Phillip Farley, Chairman.
 - a. Mr. James Sineath, Access on Hartin Road.
 - b. Mr. Stephen Ulery, Crowfield Little League Baseball Fields.
- 3. Committee on Public Works and Purchasing.**
Council Member, Mr. Robert O. Call, Jr., Chairman.
 - a. U.S. Hwy 17-A Water Main Relocation, Phase I.
- 4. Committee on Justice and Public Safety.**
Council Member, Mr. Steve C. Davis, Chairman.
- 5. Committee on Water and Sanitation.**
Council Member, Mr. Timothy J. Callanan, Chairman.
 - a. Agreement between Berkeley County and Carolina Renewable Energy, LLC.
- 6. Committee on Planning and Development.**
Council Member, Mrs. Cathy S. Davis, Chairman.
- 7. Committee on Community Services.**
Council Member, Mr. Caldwell Pinckney, Jr., Chairman.
- 8. Committee on Human Services.**
Council Member, Mr. Dennis Fish, Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

ACCOMMODATIONS TAX ADVISORY COMMITTEE
AERONAUTICS COMMISSION
BCD RURAL TRANSPORTATION MANAGEMENT ASSOCIATION
DEVON FOREST SPECIAL TAX DISTRICT
LIBRARY BOARD
MENTAL HEALTH BOARD
SANGAREE SPECIAL TAX DISTRICT
SPECIAL FIRE TAX DISTRICT ADVISORY COMMISSION
TALL PINES SPECIAL TAX DISTRICT
TAX ASSESSMENT REVIEW BOARD
ZONING APPEALS BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

THE DECEMBER 2009, REGULAR MEETING OF BERKELEY COUNTY COUNCIL WILL BE HELD ON MONDAY DECEMBER 14, 2009, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND ALL OTHER COMMITTEE MEETINGS AT 6:00 PM, IN THE ASSEMBLY ROOM OF THE BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES AND MAY BE ON ANY MATTER.

November 18, 2009
S/Barbara B. Austin, CCC
Clerk of County Council